

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

FOR THE DEPARTMENT OF NATURAL RESOURCES

In the Matter of the Proposed Rules of the
Department of Natural Resources relating
to Fishing Regulations, Aquatic Plants,
Licenses and Permits, and Border Water
Requirements

**ORDER ON REVIEW
OF ADDITIONAL NOTICE
PLAN AND DUAL NOTICE**

This matter came before Administrative Law Judge Barbara L. Neilson upon the request of the Minnesota Department of Natural Resources (DNR or Department) for a legal review under Minn. R. 1400.2060 and 1400.2080 of the Additional Notice Plan and Dual Notice of Intent to Adopt Rules in the above-captioned proceeding.

Under its Additional Notice Plan, the Department plans to provide notice of the proposed persons to:

- Groups who have a role or interest in these areas being adopted.
- Angling groups, other environmental and social organizations, businesses, individuals, state legislators who have an interest in these areas, and staff from bordering states that are responsible for rule making.
- All those who filed comments on the proposed rules in response to the Request for Comments.

The groups the Department intends to notify include the following: MDHA Capitol Sportsmen Chapter; Lao Community Center of Minnesota; Hmong American Partnership; Southeast Asian Community Council; Lao Cultural Center; Association of Vietnamese Elderly in Minnesota; St. Aldabert Parish's Vietnamese Community; Vietnam Center; Asian American Press; Vietnamese Cultural Association of Minnesota; Vietnamese Minnesotans Association; Vietnamese Mutual Association of Minnesota; Association of Former Vietnamese Political Detainees in Minnesota; Center for Asian and Pacific Islanders; Comm. University Health Care Center; Northerns, Inc.; National Professional Anglers Association; Congress of Minnesota Resorts; Minnesota Darkhouse and Angling Association; Park Rapids Enterprise; Minnesota Darkhouse Association; Federation of Fly Fishers; Avid Anglers; Muskies, Inc.; Muskies, Inc. Chapter 54; Anglers for Habitat; American Bass Anglers; BOC Fisheries Operations Subcommittee; BOC Enforcement and Operations Support Subcommittee; In-Fisherman Magazine; Milan Beach Resort; Ron Schara Enterprises, Inc.; Interested Sportsman; Dick Sternberg Outdoors; Mule Lake Store; and Minnesota Bass Foundation.

The DNR also plans to issue statewide news releases that detail the major parts of the rule and use its website to inform the public of the Department's intent to adopt the rules and

take requests for hearing. The news releases will be included in one of the twice-weekly statewide news packets issued by the Department. The news packet is delivered by e-mail to over 800 media outlets that include radio, television, online, and other news entities.

Based upon a review of the written submissions by the Department,

IT IS HEREBY ORDERED THAT:

1. The Additional Notice Plan is **APPROVED**, contingent on including the following additional organizations if they are not already on the DNR's rulemaking mailing list:

Minnesota Resort and Campground Association;

Minnesota Lodging Association;

Minnesota Indian Affairs Council;

Explore Minnesota;

Women Anglers of Minnesota;

Leisure Outdoor Adventures;

Let's Go Fishing of Minnesota;

Capable Partners;

Project Healing Waters Fly Fishing;

Wilderness Inquiry;

Outward Bound;

Minnesota Environmental Partnership;

Minnesota Center for Environmental Advocacy;

Environment Minnesota;

Conservation Minnesota;

Friends of the Mississippi River; and

Friends of the Boundary Waters Wilderness.

2. The Dual Notice is **APPROVED**.¹

Dated: May 5, 2014

s/Barbara L. Neilson

BARBARA L. NEILSON
Administrative Law Judge

¹ Although not required, it is suggested that slight modifications to the Dual Notice be made prior to publication to conform more closely to the wording suggested in Minn. R. 1400.2540. These changes will clarify that it is the responsibility of the Office of Administrative Hearings and not the agency to hold the public hearing. The suggested modifications are noted in the attachment.